

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jeffrey Bergh et al.

Serial No.:

10/791,688

Filing Date:

March 1, 2004

Group Art Unit:

3679

Examiner:

Joshua T. Kennedy

For:

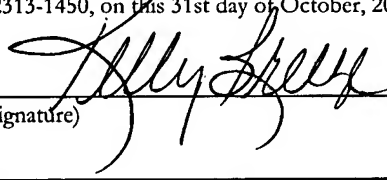
*Fiber Cement Fence System*

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

---

Certificate of Mailing under 37 CFR 1.10  
EL994541568US

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 31st day of October, 2007 by Kelly Breeze.

  
(Signature)

---

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.97(b)(4), Applicants submit the art listed on the attached Form PTO-1449. Applicants submit this Information Disclosure Statement in compliance with 37 C.F.R. §1.97(b)(4), as Applicants are filing this Information Disclosure Statement before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the art listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified application. Pursuant to 37 C.F.R. § 1.98, a copy of the referenced art is enclosed for the

convenience of the Examiner, other than any U.S. patents and U.S. patent application publications. Furthermore, pursuant to 37 C.F.R. §§ 1.97(g) and (h), no representation is made that this art is material to patentability of the present application or that a search has been made.

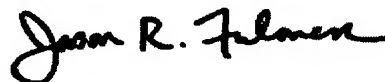
The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner, and shall not be construed as a representation that Applicants or Applicants' attorneys have personal knowledge of the contents of the listed art or any events surrounding the listed art.

The Examiner is requested to initial the attached form PTO-1449, as indicated. It is respectfully requested that the Examiner then return to the undersigned a copy of the initialed and completed Form PTO-1449 that indicates the enclosed referenced art has been considered in its entirety.

No fee is believed to be due at this time, however, The Commissioner is hereby authorized to charge the payment of any additional fees due with this filing, including any under 37 C.F.R. §1.16 or 37 C.F.R. §1.17, to Deposit Account No. 07-0153 and reference Attorney Docket No. 129843.1082. Please credit any overpayments to this same Deposit Account.

**Please direct all correspondence to the practitioner listed below at Customer No. 60148.**

Respectfully submitted,



---

Jason R. Fulmer  
Registration No. 46,715

Attorney Docket No. 129843.1082  
Customer No. 60148

INFORMATION DISCLOSURE STATEMENT  
SERIAL NO. 10/791,688

3

Gardere Wynne Sewell LLP  
Thanksgiving Tower  
1601 Elm Street, Suite 3000  
Dallas, Texas 75201-4761  
Telephone: 214.999.4487  
Facsimile: 214.999.3487  
Email: [jfulmer@gardere.com](mailto:jfulmer@gardere.com)

ATTORNEY FOR APPLICANTS

October 31, 2007

DALLAS 1851527v1